

REMARKS

REJECTION UNDER 35 U.S.C. §112

In the Office Action, at page 2, numbered paragraphs 3-5, claims 1-36, 38-73 and 75-78 were rejected under 35 U.S.C. §112, second paragraph, for the reasons set forth therein. This rejection is traversed and reconsideration is requested.

Independent claims 1, 38 and 75 have been amended to delete the terminology "such that" and "high," and are now believed to be definite and in allowable form. Since claims 2-36, 39-73 and 76-78 depend from amended claims 1, 38 and 75, claims 2-36, 39-73 and 76-78 are submitted to be definite and in allowable form for at least the reasons that amended claims 1, 38 and 75 are submitted to be definite and in allowable form.

Thus, claims 1-36, 38-73 and 75-78 are submitted to be allowable under 35 U.S.C. §112, second paragraph.

REJECTION UNDER 35 U.S.C. §103

In the Office Action, at pages 2-9, numbered paragraphs 6-8, claims 1-36, 38-73, and 75-78 were rejected under 35 U.S.C. §103(a) as being unpatentable over Norihiko (JP Publication Number: 11-242545) in view of Nishimoto et al. ("Nishimoto," Japanese Patent, Document No. H10-69482). The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

Claim 1 has been amended to include "a deleting unit to delete a keyword having a degree of importance lower than a predetermined threshold value." Claims 38 and 75 have been amended in similar fashion. Claims 3 and 40 have been cancelled without prejudice or disclaimer.

It is respectfully submitted that Norihiko and Nishimoto both fail to teach or suggest a deleting unit to delete a keyword having a degree of importance lower than a predetermined threshold value, as is recited by amended claim 1, and in similar fashion in amended claims 38 and 75. Neither Norihiko nor Nishimoto recites any consideration of any method or device to remove consideration of keywords when the occurrence of the keywords falls below a predetermined or preselected threshold value.

Although the claims are not so restricted, the degree of importance may be determined in accordance with the presence or absence of a user's transmitted message responsive to a received message, with the response time delay from the reception, and with the user's current operation on the IRC client. In contrast, in JP HEI 10-69482 A (Nishimoto), the degree of importance is determined only in accordance with the frequency of a keyword.

Hence, it is respectfully submitted that amended independent claims 1, 38 and 75 are non-obvious under 35 U.S.C. §103(a) in view of Norihiko (JP Publication Number: 11-242545) and further in view of Nishimoto et al. ("Nishimoto," Japanese Patent, Document No. H10-69482). Since claims 2, 4-36, 39, 41-73, and 76-78 depend from amended claims 1, 38 and 75, respectively, claims 2, 4-36, 39, 41-73, and 76-78 are submitted to be non-obvious under 35 U.S.C. §103(a) in view of Norihiko (JP Publication Number: 11-242545) and further in view of Nishimoto et al. ("Nishimoto," Japanese Patent, Document No. H10-69482) for at least the reasons that amended claims 1, 38 and 75 are submitted to be non-obvious in view of same.

NEW CLAIMS

New claim 80 recites that the features of the present invention include a message transmitting and receiving apparatus comprising: a message importance identifier, dynamically determining registered keywords and candidate keywords, assigning a degree of importance to each of the registered keywords and the candidate keywords, dynamically changing the degree of importance of the registered keywords and candidate keywords in accordance with time and predetermined conditions for the registered keywords and predetermined conditions for the candidate keywords, respectively, and providing a user with an audio and/or visual indication relating to received messages in accordance with the degree of importance of the registered keywords; and a memory, storing registered keywords and candidate keywords associated with the apparatus and the degrees of importance of the registered keywords and candidate keywords.

New claim 81 depends from new claim 80 and provides further limitation thereto.

It is respectfully submitted that nothing in the prior art teaches or suggests the subject matter of claims 80 and/or 81. It is submitted that these new claims distinguish over the prior art.

It is respectfully submitted that nothing in the prior art teaches or suggests the subject matter of claims 80 and/or 81. It is submitted that these new claims distinguish over the prior art.

CONCLUSION

In accordance with the foregoing, claims 3 and 40 have been canceled without prejudice or disclaimer, claims 1, 38 and 75 have been amended, and claims 80-81 have been added. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1, 2, 4-36, 38-39, 41-73, 75-78 and 80-81 are pending and under consideration. Reconsideration is respectfully requested.

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date:

June 10, 2004

By:

Darleen J. Stockley
Darleen J. Stockley
Registration No. 34,257

1201 New York Avenue, N.W.
Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501